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business, cannot have the effect of depriving them of that right, unless Congress should see fit to interpose some contrary regulation on the subject. This is interpreted to be a clear recognition of the power of Congress to exclude corporations from interstate commerce. In support of his conclusion the author states acknowledged principles. A corporation not engaged in interstate trade can do business in a foreign state only with the consent of that state. When a corporation engages in interstate commerce it enters the jurisdiction of Congress, and can carry on the business only with the consent of Congress. From this the author concludes that the power to exclude would appear to be as absolute as is the power of the state in the first instance. To hold otherwise, he asserts, would mean that, no matter how objectionable the corporate policies of a state, Congress would be unable to prevent the exercise in interstate commerce of corporate privileges granted by that state.

The book is an interesting contribution to a problem of vital interest because of its direct bearing upon the principles and powers of Federal legislation.

P. R. B.

A History of Continental Criminal Procedure. By A. Esmein. Boston. Little, Brown and Company. pp. xiv, 640.

The Continental Legal History Series is the result of a modern disposition on the part of English and American jurists, lawyers, and students to inquire into the legal institutions of other countries. For a long time a blind faith in the virtues of the English system as eulogized by Sir William Blackstone forbade the conceding that France, Germany, or Italy might possibly have something in their methods of administering justice worthy of observation or perhaps of imitation. But within the past few years there has been a rupture in this sentimental attitude; and with it has come a demand for a knowledge of foreign institutions.

The author, in a brief but comprehensive and thorough work, traces the development of Criminal Procedure in France from the early feudal proceedings to the admirable code in use at the present time. A few chapters are also devoted to the history of procedure in other continental countries.

The main portion, written some thirty years ago, is based upon the Ordinance of 1670, and is a remarkably clear analysis of the inquisitorial procedure adopted therein. For those accustomed to regard law as the product of a slow, yet sure and steady evolution—a gradual crystallization of legal principles—the author's account of the development of French Criminal Procedure contains a distinct surprise. Each quake in France's political firmament was the forerunner of a most radical change in the method of administering the criminal law. Nowhere is this more strikingly illustrated than in the temporary abandonment of the Code of 1670 with its sacred inquisitorial proceedings, in favor of methods decidedly English. How far the temperament of the nation is reflected by its laws is admirably shown by one of the author's quotations, taken from one of the many denunciations of the English customs that had been adopted: "We do not envy the English their tastes, their habits, their enthusiasm for their laws; we oppose to these declamations the opinion of one of the greatest magistrates of our time." And another, speaking of the dual jury system of England: "If the institutions do not exist here it is by reason of their antiquity." It is significant that these denunciations came at a time when France and England were no longer friendly.

The editors are to be congratulated upon their selection of M. Esmein's work. It is excellently written and translated, and the mechanical arrangement of the parts is decidedly helpful. We hope that a volume of this book will find its way into the hands of every lawyer, and perhaps it is not reaching beyond the bounds of propriety to suggest that our legislators might glean some useful suggestions from an intelligent perusal of its pages.

H. S.

The Lawyer in Literature. By John Marshall Gest, Judge of the Orphans' Court, Philadelphia, Pennsylvania. The Boston Book Company. Boston. 1913. pp. 249.

This book is composed of a series of papers all of which, with the exception of one, have been published in the *Pennsylvania Law Review* and the *YALE LAW JOURNAL*. The object of the book as expressed by the author is that these papers may interest a wider public in the legal aspect of literature. They show a